

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACLYN LEE HENDERSON,

Defendant.

CR 21-07-BLG-DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendations in this matter on May 27, 2021. (Doc. 52.) Neither party objects, and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge Cavan recommended this Court accept Jaclyn Lee Henderson’s guilty plea after Henderson appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1) as charged in Indictment.

The Court finds no clear error in Judge Cavan's Findings and Recommendation and adopts them in full. The Court will defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. Accordingly,

IT IS ORDERED that the Findings and Recommendations (Doc. 52) is ADOPTED in full. Henderson's motion to change plea (Doc. 43) is GRANTED and she is adjudged guilty as charged in Count II of the Indictment.

DATED this 11th day of June, 2021.



Dana L. Christensen, District Judge
United States District Court